



# राजपत्र, हिमाचल प्रदेश

## (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, १९ मार्च, १९८३/२८ फाल्गुन, १९०४

हिमाचल प्रदेश सरकार

हिमाचल प्रदेश विधान सभा सचिवालय

अधिसूचनाएँ

शिमला-४, १५ मार्च, १९८३

संख्या १-१५/८३-बि० स०.—हिमाचल प्रदेश विधान सभा प्रक्रिया एवं कार्य संचालन नियमावली, १९७३ के नियम १३५ के अन्तर्गत, हिमाचल प्रदेश विनियोग विधेयक, १९८३(१९८३ का विधेयक संख्यांक ५) जो दिनांक १५ मार्च, १९८३ को हिमाचल

प्रदेश विधान सभा में पुरःस्थापित हो गया है, सर्वसाधारण की सूचनायें राजपत्र में मुद्रित करने हेतु प्रेषित किया जाता है।

1983 का विधेयक संख्यांक 5

हिमाचल प्रदेश विनियोग विधेयक, 1983

(जैसा कि विधान सभा में पुरःस्थापित किया गया)

31 मार्च, 1983 को समाप्त होने वाले वर्ष के लिए हिमाचल प्रदेश राज्य की संचित निधि में से सेवाओं के लिए कतिपय धन-राशि के भुगतान की स्वीकृति और उनके विनियोग हेतु—

विधेयक।

भारत गणराज्य के चौतीसवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में अधिनियमित हो :—

1. यह अधिनियम हिमाचल प्रदेश विनियोग अधिनियम, 1983 कहलाएगा।

संक्षिप्त नाम

2. हिमाचल प्रदेश राज्य की संचित निधि में से अनुसूची के तीसरे स्तम्भ में निर्दिष्ट धन राशियाँ जिनका जोड़ दो अरब तेहत्तर लाख सैंतीस हजार सात सौ सैंतालीस रुपये आता है निकाली जाएँ और उनका वित्तीय वर्ष 1982-83 की अवधि में अनुसूची के दूसरे स्तम्भ में निर्दिष्ट प्रभागों को चुकता करने हेतु उपयोग किया जाए।

हिमाचल प्रदेश राज्य की संचित निधि में से 1982-83 के वर्ष के लिए 2,00,73,37,747 रुपये की और राशि निकालना।

3. हिमाचल प्रदेश राज्य की संचित निधि में से इस अधिनियम द्वारा जिन राशियों को निकालने और उनका उपयोग करने के लिए अधिकृत किया गया है उन धन राशियों का विनियोग, धारा 2 में उल्लिखित अवधि के सम्बन्ध में अनुसूची में प्रदर्शित प्रयोजनों और सेवाओं के लिए किया जाएगा।

विनियोग।

अनुसूची  
(देखिए धारा 2 तथा 3)

1	2	3		
		निम्नलिखित राशियों से अनाधिक		
मांग संख्या	सेवाएँ एवं प्रयोजन	विधान सभा द्वारा दत्तमत	संचित निधि पर प्रभारित	जोड़
		रुपये	रुपये	रुपये
2	राज्यपाल तथा मन्त्रि-परिषद् (राजस्व)	10,00,000	10,16,000	20,16,000
3	न्याय प्रशासन (राजस्व)	—	2,350	2,350
4	सामान्य प्रशासन (राजस्व)	69,34,000	30,000	69,64,000
5	भू-राजस्व (राजस्व)	60,67,000	—	60,67,000
6	आबकारी तथा कराधान (राजस्व)	8,31,000	—	8,31,000
7	पुलिस तथा अग्नि सुरक्षा (राजस्व)	1,14,00,440	4,560	1,14,05,000
8	शिक्षा, कला तथा संस्कृति एवं वैज्ञानिक अनुसंधान (राजस्व)	83,51,000	1,14,030	84,65,030
	(पूँजी)	4,00,000	—	4,00,000
9	चिकित्सा तथा परिवार नियोजन (राजस्व)	67,93,314	27,050	68,20,364
	(पूँजी)	41,30,000	1,45,100	42,75,100
10	लोक निर्माण (राजस्व)	21,18,000	—	21,18,000
11	कृषि (राजस्व)	4,47,73,000	6,000	4,47,79,000
	(पूँजी)	85,00,000	—	85,00,000
12	लघु सिंचाई (राजस्व)	97,83,000	—	97,83,000
	(पूँजी)	1,80,00,000	—	1,80,00,000
13	भू एवं जल संरक्षण (राजस्व)	60,00,000	—	60,00,000
14	पशु पालन तथा दुग्ध विकास (राजस्व)	4,08,000	35,000	4,43,000
15	मत्स्य (राजस्व)	4,30,000	—	4,30,000
16	वन (राजस्व)	1,49,45,000	24,100	1,49,69,600
17	सड़कें तथा पुल (राजस्व)	4,71,00,000	—	4,71,00,000
	(पूँजी)	—	11,51,700	11,51,700
18	श्रापृति, उद्योग तथा खनिज (राजस्व)	60,55,000	—	60,55,000
	(पूँजी)	44,50,000	—	44,50,000
19	सामाजिक सुरक्षा, कल्याण तथा जेलें (पूँजी)	5,00,000	—	5,00,000
20	लोक स्वास्थ्य, स्वच्छता एवं जल आपूर्ति (राजस्व)	2,46,57,000	—	2,46,57,000
	(पूँजी)	11,26,66,000	—	11,26,66,000
21	सामुदायिक विकास (राजस्व)	5,59,55,000	1,83,300	5,61,38,300
	(पूँजी)	2,57,000	—	2,57,000
23	खाद्य एवं पोषाहार (राजस्व)	24,00,000	—	24,00,000
24	जल तथा विद्युत विकास (राजस्व)	68,45,000	—	68,45,000
25	सिंचाई, नावचालन, जल निकास तथा बाढ़ नियन्त्रण (राजस्व)	25,80,000	—	25,80,000

1	2		3		
			रुपये	रुपय	रुपये
27	सड़क परिवहन	(राजस्व)	59,90,000	—	59,90,000
		(पूँजी)	6,25,000	—	6,25,000
28	पर्यटन	(राजस्व)	7,000	—	7,000
		(पूँजी)	7,30,000	—	7,30,000
29	श्रम तथा रोजगार	(राजस्व)	6,27,000	303	6,27,303
30	आवास	(राजस्व)	39,34,000	—	39,34,000
		(पूँजी)	2,00,000	17,37,000	19,37,000
31	नगर विकास	(राजस्व)	34,58,000	—	34,58,000
		(पूँजी)	10,00,000	—	10,00,000
32	अन्य प्रशासनिक सेवाएं	(राजस्व)	—	80,000	80,000
		(पूँजी)	36,50,000	—	36,50,000
33	वित्त	(राजस्व)	28,54,000	2,46,00,000	2,74,54,000
		(पूँजी)	—	1,52,87,93,000	1,52,87,93,000
34	सरकारी कर्मचारियों को ऋण	(पूँजी)	40,00,000	—	40,00,000
35	जन-जातीय विकास	(राजस्व)	54,00,000	—	54,00,000
		(पूँजी)	25,84,000	—	25,84,000
	जोड़ ..		44,93,88,254	1,55,79,49,493	2,00,73,37,747

## उद्देश्य तथा कारणों का विवरण

यह विधेयक हिमाचल प्रदेश सरकार के वित्तीय वर्ष 1982-83 के लिए अनुमानित व्यय के सम्बन्ध में संचित निधि पर प्रभारित तथा विधान सभा द्वारा दत्तमत व्यय पूरा करने के लिए बांछित धन को हिमाचल प्रदेश राज्य की संचित निधि में से विनियोग करने की व्यवस्था करने हेतु भारतीय संविधान के अनुच्छेद 204 की धारा (1) के अनुसार प्रस्तुत किया जाता है।

राम लाल,  
मुख्य मन्त्री।

शिमला :  
15 मार्च, 1983

भारतीय संविधान के अनुच्छेद 207 के अन्तर्गत राज्यपाल के अभिस्ताव

[वित्त विभाग फाइल संख्या फिन-1-सी (2) 41/82]

राज्यपाल ने संविधान के अनुच्छेद 207 के अन्तर्गत हिमाचल प्रदेश विनियोग विधेयक, 1983 के विषय की सूचना मिलने पर उक्त विधेयक को विधान सभा में पुरःस्थापित करने तथा उस पर सभा के विचार हेतु अभिस्ताव किया है।

[Authorised English Text of Himachal Pradesh Viniyog Vidheyak, 1983 as required under clause (3) of Article 348 of the Constitution of India.]

Bill No. 5 of 1983.

# THE HIMACHAL PRADESH APPROPRIATION BILL, 1983

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

## BILL

*to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Himachal Pradesh for the services for the year ending on the 31st day of March, 1983.*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Thirty-fourth Year of the Republic of India as follows:—

1. This Act may be called the Himachal Pradesh Appropriation Act, 1983.

Short title

2. From and out of the Consolidated Fund of the State of Himachal Pradesh, there may be paid and applied further sums not exceeding those specified in column (3) of the Schedule amounting in the aggregate to the sum of two hundred crores, seventy-three lakhs, thirty-seven thousand, seven hundred and forty-seven rupees towards defraying the charges which will come in course of payment during the financial year 1982-83 in respect of the services specified in column (2) of the Schedule.

Issue of a further sum of Rs. 2,00,73,37,747 out of the Consolidated Fund of the State of Himachal Pradesh for the year 1982-83.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Himachal Pradesh by this Act shall be further appropriated for the services and purposes expressed in the Schedule in relation to the period mentioned under section 2 of this Act.

Appropriation.

## THE SCHEDULE

(See Sections 2 and 3)

1 No. of Demand	2 Services and purposes	3 Sums not exceeding		
		Voted by the Legislative Assembly	Charged on the Consoli- dated Fund	Total
		Rs.	Rs.	Rs.
2	Governor and Council of Minis- ters (Revenue)	10,00,000	10,16,000	20,16,000
3	Administration of Justice (Revenue)	—	2,350	2,350
4	General Administration (Revenue)	69,34,000	30,000	69,64,000
5	Land Revenue (Revenue)	60,67,000	—	60,67,000
6	Excise and Taxation (Revenue)	8,31,000	—	8,31,000
7	Police and Fire Protection (Revenue)	1,14,00,440	4,560	1,14,05,000
8	Education, Art and Cultural Affairs and Scientific Research (Revenue)	83,51,000	1,14,030	84,65,030
	(Capital)	4,00,000	—	4,00,000
9	Medical and Family Planning (Revenue)	67,93,314	27,050	68,20,364
	(Capital)	41,30,000	1,45,100	42,75,100
10	Public Works (Revenue)	21,18,000	—	21,18,000
11	Agriculture (Revenue)	4,47,73,000	6,000	4,47,79,000
	(Capital)	85,00,000	—	85,00,000
12	Minor Irrigation (Revenue)	97,83,000	—	97,83,000
	(Capital)	1,80,00,000	—	1,80,00,000
13	Soil and Water Conservation (Revenue)	60,00,000	—	60,00,000
14	Animal Husbandry and Dairy Development (Revenue)	4,08,000	35,000	4,43,000
15	Fisheries (Revenue)	4,30,000	—	4,30,000
16	Forest (Revenue)	1,49,45,500	24,100	1,49,69,600
17	Roads and Bridges (Revenue)	4,71,00,000	—	4,71,00,000
	(Capital)	—	11,51,700	11,51,700
18	Supplies, Industries and Minerals (Revenue)	60,55,000	—	60,55,000
	(Capital)	44,50,000	—	44,50,000
19	Social Security, Welfare and Jails (Capital)	5,00,000	—	5,00,000
20	Public Health, Sanitation and Water Supply (Revenue)	2,46,57,000	—	2,46,57,000
	(Capital)	11,26,66,000	—	11,26,66,000
21	Community Development (Revenue)	5,59,55,000	1,83,300	5,61,38,300
	(Capital)	2,57,000	—	2,57,000
23	Food and Nutrition (Revenue)	24,00,000	—	24,00,000
24	Water and Power Development (Revenue)	68,45,000	—	68,45,000
25	Irrigation, Navigation, Drainage and Flood Control (Revenue)	25,80,000	—	25,80,000
27	Road Transport (Revenue)	59,90,000	—	59,90,000
	(Capital)	6,25,000	—	6,25,000
28	Tourism (Revenue)	7,000	—	7,000
	(Capital)	7,30,000	—	7,30,000



1	2	3
		Rs.
29	Labour and Employment (Revenue)	6,27,000
30	Housing (Revenue)	39,34,000
	(Capital)	2,00,000
31	Urban Development (Revenue)	34,58,000
	(Capital)	10,00,000
32	Other Administrative Services (Revenue)	—
	(Capital)	36,50,000
33	Finance (Revenue)	28,54,000
	(Capital)	—
34	Loans to Government Servants (Capital)	40,00,000
35	Tribal Development (Revenue)	54,00,000
	(Capital)	25,84,000
	Total ..	44,93,88,254
		1,55,79,49,493
		2,00,73,37,747

## STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of clause (1) of Article 204 of the Constitution of India, to provide for the appropriation from and out of the Consolidated Fund of the State of Himachal Pradesh of the moneys further required to meet the expenditure charged on the Consolidated Fund and other expenditure as voted by the Legislative Assembly in respect of the estimated expenditure of the Government of Himachal Pradesh for the financial year 1982-83.

SHIMLA:

The 15th March, 1983.

RAM LALL,  
*Chief Minister.*RECOMMENDATIONS OF THE GOVERNOR UNDER ARTICLE 207 OF THE  
CONSTITUTION OF INDIA

[Finance Department File No. 1-C(2)-41/82]

The Governor, having been informed of the subject matter of the proposed Himachal Pradesh Appropriation Bill, 1983, recommends, under Article 207 of the Constitution of India, the introduction in, and consideration of, the said Bill by the Legislative Assembly.

*Shimla-4, the 18th March, 1983*

No. 1-17/83-VS.—In pursuance to rule 135 of the Rules of Procedure and Conduct of Business of the Himachal Pradesh Legislative Assembly, 1973, the Himachal Pradesh Water Supply (Amendment) Bill, 1983 (Bill No. 4 of 1983) having been introduced on the 18th March, 1983, in the Himachal Pradesh Vidhan Sabha, is hereby published in the Gazette.

V. VERMA,  
*Secretary.*

Bill No. 4 of 1983

THE HIMACHAL PRADESH WATER SUPPLY (AMENDMENT)  
BILL, 1983

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

BILL

*further to amend the Himachal Pradesh Water Supply Act, 1968 (Act No. 8 of 1969).*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Thirty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Himachal Pradesh Water Supply (Amendment) Act, 1983. Short title and commencement.

(2) It shall come into force at once.

2. For the existing sub-clause (xiv) of section 2 of the Himachal Pradesh Water Supply Act, 1968 (hereinafter called the principal Act) the following clause (xiv) shall be substituted, namely:— Amendment of section 2.

“(xiv) ‘water rate’ means the charge for the time being levied by the State Government under section 5 or by the local authority under sub-section (2) of section 6.”

3. The existing section 4 of the principal Act shall be omitted. Omission of section 4.

4. For the existing section 5 of the principal Act, the following new section 5, along with its heading, shall be substituted, namely:— Substitution of section 5.

“5. *Levy of water rates.*—(1) The State Government shall levy a water rate for water supplied to a consumer, by a water supply scheme managed directly by the Government or by the beneficiary to whom the scheme may be entrusted, at such rates as may be specified by the State Government, by notification published in the Official Gazette, from time to time.

(2) The recovery of the water charges shall be effected from the individuals on the basis of flat rate or on the basis of metered connections.

(3) The water rate levied shall, if not paid when due, be recovered as if it were an arrear of land revenue.”

5. For the existing section 6 of the principal Act, the following new section 6, along with its heading, shall be substituted, namely:— Substitution of section 6.

“6. *Handing over of water supply schemes.*—(1) Where a local authority is prepared to take over and maintain any scheme as a beneficiary,

the State Government shall hand over the development, management or control of such scheme to such local authority subject to such conditions as the State Government may deem fit to impose.

- (2) The local authority which takes over a scheme under sub-section (1) of this section, shall fix water rate as it considers necessary and shall be responsible for the efficient management of such scheme.
- (3) The water rate that the local authority may fix shall, in no case, exceed the water rate as may be specified by the State Government under section 5.
- (4) The water rate levied by the State Government, if any, shall cease to have effect on the fixation of such rate by the local authority."

Amendment  
of section  
11.

6. In sub-section (2) of section 11 of the principal Act,—
  - (i) for clause (b) the following clauses (b) and (c) shall be substituted, namely:—
    - “(b) the guiding principles to be followed in the fixation of water rate under section 5;
    - (c) the conditions subject to which the water supply scheme is to be handed over to a local authority under section 6; and”;
  - (ii) the existing clause (c) shall be renumbered as clause (d).

## STATEMENT OF OBJECTS AND REASONS

Under section 4 of the Himachal Pradesh Water Supply Act, 1968 the State Government is to spend in the first instance the entire amount on all the schemes and on the improvements of the existing water supplies and is to recover from the beneficiaries or consumers,—

- (a) 25% of the capital cost and interest thereon in respect of urban water supply schemes;
- (b) 12½% of the capital cost and interest thereon in respect of rural water supply schemes.

Under section 6 a local authority is required to deposit with the State Government its share capital cost and stipulated interest thereon and the further cost of maintenance and replacement due on the date of handing over of water supply scheme to it. The local authorities are reluctant to take over the water supply schemes after paying the beneficiaries' share and the State Government has no other alternative except to manage the water supply schemes directly itself. Consequently heavy cost has to be borne by the State Government to provide the infrastructure to manage and control the completed water supply schemes. This provision is now required to be omitted by suitably amending sections 4 and 6 with the object of making the taking over of water supply schemes by local authorities more attractive. The consequential amendments are also required to be made in section 11.

Moreover, in order to simplify the fixation of the water rates for the supply of water by the schemes directly managed by the State Government or by the beneficiaries to whom the schemes may be handed over under the Act, it also has become necessary to amend section 5 and sub-section (2) of section 11 of the principal Act.

The Bill seeks to achieve the aforesaid objectives.

SHIMLA :  
The 18th March, 1983.

SUKH RAM,  
Minister-in-charge.

## FINANCIAL MEMORANDUM

For the effective implementation of the provisions contained in the Bill, no extra expenditure is involved out of the State Exchequer. However, there is likelihood that the expenditure borne by the State Government for the management and control of the completed water supply schemes will be reduced by facilitating the handing over the management and control of schemes to local authorities on easy terms. But such reduction in expenditure cannot be worked out.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 6 of the Bill empowers the State Government to make rules to provide the guiding principles to be followed in the fixation of the water rate under section 5, and the conditions subject to which the water supply is to be handed over to a local authority under section 6 of the principal Act. The rules so made are to be laid before the State Legislative Assembly. The proposed delegation is essential and normal in character.

पंचायती राज विभाग  
अधिसूचना

शिमला-2, 14 सितम्बर, 1982

संख्या पी 0 सी 0 एच 0 एच 0 ए 0 (4) - 4/80. --- हिमाचल प्रदेश पंचायती राज ऐक्ट, 1968 (ऐक्ट नं 0 19 आफ 1970) की धारा 60 तथा 163 के अन्तर्गत प्राप्त शक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश, पंचायती राज (सामान्य) वित्त आग्र व्ययक, लेखा अंकेक्षण, कराधान, सेवा और भत्ते नियम, 1975 के नियम 6 (iii) परिशिष्ट में निम्नलिखित संशोधन जिन्हें पहले राजपत्र (असधारण) दिनांक 10 अप्रैल, 1982 में प्रकाशित किया गया था के सम्बन्ध में जन सधारण से कोई आपत्ति व सुझाव न आने पर अब अन्तिम रूप में एतद्वारा संशोधन के आदेश देते हैं। यह संशोधन तुरन्त लागू समझा जायेगा।

### AMENDMENTS

The existing Appendix referred to in rule 6 (viii) of Himachal Pradesh Panchayati Raj (General) Financial Budget, Accounts Audit, Taxation, Service and Allowances Rules, 1975 shall be substituted by the following Appendix namely:—

### APPENDIX

[See Rule 6 (viii)]

### COMPETENT AUTHORITY FOR THE PURPOSES OF VARIOUS RULES

S. No.	Nature of power	District Panchayat							
		Gram Panchayat upto Rs.	Panchayat Samiti upto Rs.	D. D. & P. O. upto Rs.	Deputy Commissioner upto Rs.	Director, Panchayati Raj upto Rs.	Government upto Rs.		
1	2	3	4	5	6	7	8		
1.	To accord administrative approval to original works.	5000	10000	20000	50000	100000	Full powers		
2.	To accord administrative approval for repair and maintenance of work.	2000	5000	10000	20000	50000	-do-		
3.	To sanction repairs of tools and plants	250	500	1000	2500	5000	-do-		
4.	To sanction purchase of stationery	250	500	750	1000	1500	-do-		
5.	To sanction printing charges	250	500	750	1000	1500	-do-		
6.	To sanction supply of liveries	500	1000	1500	Full power	—	—		
7.	To sanction purchase of postage stamps	Full power	—	—	—	—	—		

8. To sanction renting of building for office or store.	40 per month.	60 per month.	80 per month.	100 per month.	200 per month.	Full power
9. To sanction payment of rates or taxes	—	—	—	—	—	—
10. To sanction expenditure on binding of books and registers.	40	60	80	100	Full power	—
11. To sanction payment of contributions towards schools, hospitals, dispensaries etc.	Full power	—	—	—	—	—
12. To sanction payment of land revenue of lands vested in Gram Panchayat.	Full power	—	—	—	—	—
13. To sanction expenditure on fairs, shows and exhibition etc.	400	600	1000	4000	8000	Full power
	on each occasion.	on each occasion.	on each occasion.	on each occasion.	on each occasion.	
14. To sanction non-recurring expenditure chargeable to contingencies, where no special power is prescribed, in this Appendix.	400	600	1000	2000	4000	-do-
	on any one item.	on any one item.	on any one item.	on any one item.	on any one item.	
15. To sanction recurring expenditure chargeable to contingencies, where no special power is prescribed in this Appendix.	40	100	200	400	Full power	—
	per month.	per month.	per month.	per month.	per month.	
16. To sanction bills on account of electric energy and telephone calls.	Full power	—	—	—	—	—

*Note.*—For the purpose of this rule furniture will be treated as one item, which will include tables, chairs, stools, benches, racks, trays, footrest, waste paper baskets, almirahs, confidential boxes, durries etc.

17. To sanction the investigation of claim more than one year.	-do-	—	—	—	—	—
18. To sanction repayment on retransfer of security to depositor or to dispose of otherwise except in accordance with the terms of agreement.	-do-	—	—	—	—	—
19. To write off stores rendered unserviceable in normal working or use and to write off irrecoverable amount.	250	500	1000	2500	Full power	—
	each item.	each item.	each item.	each item.	each item.	
20. To exempt an official to deposit the amount of security when he is appointed in leave vacancy or as a temporary measure.	—	—	Full power	—	—	—
21. To vary the terms of contract, once entered into.	Full power	—	—	—	—	—
22. To sanction the payment to a contractor by way of compensation or otherwise outside the strict terms of contract or in excess of contract rates.	—	—	—	Full power	—	—

1	2	3	4	5	6	7	8
23.	To write off losses on account of shortage of stores.	250 per annum. per annum.	500 per annum. per annum.	1000 per annum. per annum.	1500 per annum. per annum.	2000 per annum. per annum.	Full power
24.	To sanction disposal by public auction of stores found useless, or obsolete or have been rendered surplus and cannot be put to any use.	400 each item.	500 each item.	600 each item.	1000 each item.	2000 each item.	-do-

Sd/-  
Secretary (Panchayats).